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DEVELOPMENTS IN THE "OTHER" SOUTH ASIA:  
AFGHANISTAN, BANGLADESH, NEPAL, AND SRI  
LANKA

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Y 4. F 76/1: AS 4/32

Developments in the "Other" South A...

HEARING  
AND  
MARKUPS

ON

H. CON. RES. 278 AND H. CON. RES. 216

BEFORE THE

SUBCOMMITTEE ON  
ASIA AND THE PACIFIC

OF THE

COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

AUGUST 11, 1994

Printed for the use of the Committee on Foreign Affairs



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## DEVELOPMENTS IN THE "OTHER" SOUTH ASIA: AFGHANISTAN, BANGLADESH, NEPAL, AND SRI LANKA

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THURSDAY, AUGUST 11, 1994

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON ASIA AND THE PACIFIC,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:12 a.m. in room 2255, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittee will come to order.

As we are calling around for a quorum we will change the order of business today to mark up two resolutions, a sufficient number of members having arrived, and we will proceed presently with our hearing.

The Subcommittee on Asia and the Pacific meets today to take look at what could be called the other South Asia, those portions of the Indian subcontinent other than India and Pakistan, the two South Asian countries that most frequently draw our attention. Specifically, we will focus this morning on recent developments in Afghanistan, Bangladesh, Nepal, and Sri Lanka.

What besides their geographical location do these countries have in common? Three of the four are struggling, with various degrees of success, to institutionalize democratic principles amidst societies where assassination and street violence are still a frequent occurrence. The fourth of our four countries, Afganistan, is enmeshed in a bloody civil war and is only now beginning the difficult process of establishing the principles and practices of democracy.

Each of the four countries under review this morning faces daunting social and economic problems, though here too some have been more successful than others in beginning to address these challenges. Population pressures, woefully low literacy rates, disease, malnutrition, un- and underemployment, environmental degradation, the rise of fundamentalism, illicit narcotics, ethnic and religious intolerance that fuel civil conflict, gender inequities—the list of problems to be overcome is nearly endless.

But there is another side to the story, a side that is less frequently noted but one that merits mention. Sri Lanka, notwithstanding a vicious civil war in the northern and eastern parts of the country, has fashioned a vibrant democratic system and achieved impressive gains in establishing the rule of law. Bangladesh and Nepal have only more recently made the transition

from autocracy to democracy, but the past several years have witnessed noticeable successes in this sphere for both.

Several of these countries have also made significant strides toward addressing some of their most difficult social and economic problems. Bangladesh, long known as one of the world's basket cases, has recently become self-sufficient in rice, and its family planning program has registered dramatic reductions in population growth rates.

Sri Lanka's economy, with a vigorous private sector, is one of the healthiest in that part of the globe. Even isolated Nepal, one of the world's poorest countries, has begun to tackle some of its most pressing health and environmental problems.

Only tortured Afghanistan stands outside this record of achievement. When the last Soviet soldier retreated from Afghan soil a few years ago, Afghans and their friends abroad held high hopes for a return to peace and a resumption to the normal patterns of everyday life for the people of Afghanistan. Sadly, these expectations have been cruelly dashed, and renewed fighting since the first of the year has produced a new crop of casualties as well as hundreds of thousands of refugees.

It would be entirely appropriate to ask whether the United States, given its heavy involvement in Afghanistan during the 1980's, doesn't bear a special moral responsibility toward the people of this troubled land.

Appearing before us today is the Honorable Robin Raphel, assistant secretary of state for South Asia and a frequent witness before our subcommittee.

Madam Secretary, we welcome you back and look forward to your testimony. I would remind you, as always, a synopsis of your testimony is always welcome as your complete statement will appear as part of the permanent record of our proceedings.

Before we begin, I know that some of our colleagues would like to make an opening statement.

Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I want to thank you and our ranking minority leader, Mr. Leach, for holding this important hearing regarding current developments in Afghanistan and Bangladesh and Nepal and Sri Lanka.

Yesterday we learned that the Bangladesh Government allowed the feminist writer Taslima Nasrin to leave the country for Sweden, and we are thankful for Bangladesh's cooperation in that area.

Afghanistan, though, is still plagued by the bloody civil war, Sri Lanka is in great turmoil, and Nepal's new democracy still struggles against an active Communist party. Many important events have been occurring in those countries, and we look forward to learning more about them from our expert witness, Assistant Secretary Raphel.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you, Mr. Chairman. I will be very brief.

I am very concerned that the United States, so focused on other problems, is ignoring what potentially could be a catastrophe for the West, and that is the situation that is developing in



Afganistan. There not only is the human bloodshed and the sorrow and loss of life continuing, but new power bases are being created for political extremism, for political extremism fueled by drug money which in the end, unless we do something about it, will be a center for heartache for the entire world.

I can see that unless something is done about Afganistan, that we can see hundreds of millions, if not billions, of dollars' worth of drug money making its way into the hands of anti-Western radical and unstable leaders who could turn against the West in a way that makes the Medellin drug cartel look like child's play, and I am very concerned that unless we have a policy that is aimed at changing the direction in Afganistan that we will pay dearly for it in the future, and we can do something about it yet nothing is being done.

So I appreciate this hearing today, and, Mr. Chairman, I will be happy to be working with you on these problems in the future and hope that we, as Members of Congress, can prod the administration in this crucial area of Afganistan to prevent the crisis that will emerge if we continue to do nothing.

Thank you very much.

Mr. ACKERMAN. Thank you very much.

We welcome our frequent witness. Welcome once again before our subcommittee, and you may proceed in any fashion that you would like.

#### **STATEMENT OF HON. ROBIN RAPHEL, ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS**

Ms. RAPHEL. Thank you, Mr. Chairman.

I would like just to summarize the longer statement that I have submitted for the record, which I hope you have had the opportunity to read, and then take your questions.

Mr. Chairman and members of the committee, Afganistan, Bangladesh, Nepal, and Sri Lanka are sometimes labeled the smaller nations of South Asia, but this is very much a relative comparison. Like their more powerful neighbors, India and Pakistan, they confront significant problems affecting large numbers of people. I am grateful for the recognition of this reality by you and the committee in holding this hearing this morning.

Strengthening democracy is an important U.S. goal in all of these countries except, sadly, Afganistan. In fact, the transition from authoritarian rule to democracy is affecting more people in Bangladesh and Nepal than in all the former Soviet states and Eastern Europe combined. Democratic institutions are being tested in Bangladesh, Nepal, and Sri Lanka.

As we support the democratic process throughout the region, we are optimistic that democracy will prevail. Economic growth and development, resulting in large part from trade and investment policy reform, is another important area of interest for us. Significant economic policy changes are under way in Bangladesh, Nepal, and Sri Lanka. Taking advantage of these developments, and with our support, American business involvement is growing in these countries.

I now wish to discuss each of these four countries briefly. Let me begin with Afganistan, which is the sad exception to a tale of

political and economic progress in South Asia. Our primary goal there is simple, to help promote peace and security in a country torn by war for almost 15 years. Significant progress toward any other goal depends on this. Stability can be achieved only through a broad-based government with a mandate from all Afghans both at home and abroad. This includes the former king, Zahir Shah, should he so desire.

Rivalries among Afghan factions fuel continuing warfare following the fall of the Najibullah regime in 1992. Fighting intensified in Kabul and northern Afghanistan this past January between coalitions lined with President Rabbani and Prime Minister Hekmatyar. Twenty-three thousand casualties have resulted from these battles.

The U.S. involvement in Afghanistan is long standing. We supported Afghan resistance to the Soviet occupation. We have worked with Mujahidin factions, traditional and Islamic leaders, and the former king to encourage a transition to a workable, broad-based government to oversee the reconstruction of this war-torn country.

Mr. Chairman, peace has not been achieved in spite of Afghan efforts and those of others, including the United States. Thus far, Afghan faction leaders have remained intransigent. Our Embassy in Kabul has been closed since 1989. Given the ongoing anarchy in the capital, we see no way we can reopen it in the near future.

Unable to affect events directly, we support coordinated efforts by the U.N. and other multilateral organizations to help bring about a government acceptable to all Afghans. The United States was instrumental in creating the Friends of Afghanistan, a group of concerned states at the U.N. We have worked through the Security Council and the General Assembly to create a U.N. special mission led by former Tunisian foreign minister Mahmoud Mestiri. In March and April he met with Afghan leaders, including former King Zahir Shah and officials of concerned governments in the region. Mr. Mestiri is now back in the region, and we continue to strongly support his mission.

The United States is working to curb the flow of weapons and materiel support to the factions. We have received assurances from Pakistan, India, Saudi Arabia, Tadjikistan, Uzbekistan, and Turkmenistan that they are not providing weapons or materiel support to the Afghans. However, given Afghanistan's porous borders, assistance from private groups in these and other countries may well be continuing.

The absence of effective government and limited security make it very difficult to conduct development programs in Afghanistan. We recently closed our bilateral assistance program for Afghanistan which operated out of Islamabad. However, the United States continues to provide substantial humanitarian assistance to the Afghan people through U.N. agencies and nongovernmental organizations. This year our contributions in this regard are close to \$40 million.

In Bangladesh the United States is working to promote democracy and respect for human rights and to encourage continued economic growth and development. The 1991 election was judged to be the first truly free and fair election since independence. The government of Prime Minister Begum Khaleda Zia expanded press freedoms and held free and fair regional and local elections.

However, democratization has faced some problems in 1994. Allegations of vote rigging in a March by-election led the opposition to boycott Parliament. Its demand for new elections under a caretaker government have been refused by the current government. The opposition has threatened to use street demonstrations to achieve its goals. Political violence also continues in the university.

So democratic institutions in Bangladesh face significant challenges, but this is to be expected as part of the growing pains of a new democracy. Experience in the democratic process in Bangladesh is still limited, and institutions are often fragile. Thus it is important for us to continue to support democratization through assistance to key institutions. We are also actively encouraging a dialogue between the parties within democratic institutions rather than in the streets.

The current Government of Bangladesh has improved human rights practices. There is substantial freedom of the press, much greater independence of judiciary, and free and fair elections have been held. However, its early response to the case of the feminist writer Taslima Nasrin raised questions about the protection of individual rights. We repeatedly urged the Government to safeguard her right to free speech and to protect her from death threats. We were much relieved to learn that earlier this week she left the country after being granted bail on charges of deliberately stirring religious feelings. We are also concerned that the Government on occasion uses Bangladesh's Special Powers Act to detain political opponents without charge.

On the economic front, we continue to encourage and support reform and development. With U.S. help, there has been notable success since 1971 in curbing population growth rates, lowering infant mortality rates, and increasing agricultural production. However, dramatic economic growth will be needed to generate sufficient jobs for the burgeoning numbers of young people.

As a result of economic reforms already under way, inflation is down and foreign currency reserves have increased. However, reform is an ongoing process which we need to continue to support.

Our policy toward Nepal seeks to promote democracy and respect for human rights, increase economic growth and opportunity, and address such global challenges as population growth and threats to the environment. Nepal's fledgling democracy is also now being tested. The ruling Congress Party split and the government fell in July. Elections are scheduled for November 13. All parties seem committed to participating in the election process and operating within the framework of the constitution. Senior government officials have indicated that they would welcome international observers for these elections.

Protests and strikes organized by the leftist opposition may well continue until the elections. These protests have remained largely nonviolent. Ambassador Vogelgesang has underscored to leaders of all major parties and factions the need for commitment to the democratic process. She has urged all parties to reject violence.

Nepal has made remarkable economic progress in recent years. 1994 has seen the fastest growth in a decade for the Nepalese economy at 7.8 percent. There were record food, cash crop, and fruit and vegetable harvests. Inflation remains single digit.

The Government of Nepal, assisted by USAID and other donors, has undertaken an ambitious economic liberalization program. This should further enhance economic prospects in Nepal and boost U.S. exports. Although much more needs to be done, we are pleased by progress in liberalizing foreign exchange and banking regulations, tax reform, and privatization of public enterprises. The Ambassador chairs quarterly meetings of a newly formed American Business Forum to facilitate investment and trade for U.S. companies, especially in such promising areas as hydropower, tourism, and the aviation sector. All parts of the U.S. mission accord priority attention to environmental challenges, particularly air and water pollution and deforestation.

We maintain active collaboration with the Royal Nepalese Army which has made an extraordinary contribution since the 1970's to United Nations peacekeeping. The United States and indeed the entire international community greatly appreciate and respect Nepal's courageous commitment on behalf of global peacekeeping.

The primary concerns of the United States in Sri Lanka are promoting a peaceful solution to the civil conflict, improving the human rights situation, and expanding our economic relationship.

Sri Lanka's democracy is continually tested by the ongoing civil war. It weathered a crisis last year when the President and a well known opposition leader were assassinated within 10 days of one another. Parliament quickly elected a new President, and a few weeks later the country held nationwide provincial council elections without serious incident. In a few days there will be parliamentary elections, and in November Sri Lankans will elect a new President. A vigorous election campaign is under way, although it has been marred by some random acts of violence. The Sri Lanka Government has requested election observers, including two Americans, for the August polling and is likely to do so again in November.

There is a military and political stalemate after more than 10 years of conflict with Tamil separatists in the north and eastern part of the country. The Liberation Tigers of Tamil Elam, the LTTE, demand a separate state in northeast Sri Lanka. The LTTE continues terrorist as well as conventional military attacks in pursuit of that goal. With upcoming elections, the Government is reluctant to risk any new peace initiatives.

The United States continues to urge all sides to explore a political settlement by devising ways to devolve power. Local body elections held in the east in March were a first step toward meaningful power sharing. We believe mutual confidence building measures could lead to increased trust and productive discussions. Resolution requires participation of all the relevant parties, not just the Government and the LTTE. Much preparatory work needs to be done before meaningful negotiations can take place.

The human rights situation has improved since the end of the appallingly violent conflict from 1988 to 1990 between the Government and the JVP, a Sinhalese Maoist organization. The number of disappearances has fallen dramatically to about 200 in 1992 and 70 in first 9 months of 1993. We are working to ensure that the Government keeps up the momentum on human rights reforms.

Through a frank and productive dialogue with the Government, we are pursuing measurable improvements in two principal areas,

the elimination of torture and better accountability for human rights violations. We have seen some progress in both of these areas. We are also urging the LTTE to stop targeting civilians in an effort to further its own goals.

The economy is growing at over 6 percent annually despite the continued drain of the war. We wish to see progress on economic reform continue, and we look for increased opportunities for U.S. trade and investment. Both major political parties who are running in this election have declared support for the economic reform process.

Mr. Chairman, I am grateful to have the chance today to discuss U.S. policy toward these four South Asian countries, and I would be happy to answer any questions you might have.

Thank you.

[The prepared statement of Ms. Raphael appears in the appendix.]

Mr. ACKERMAN. Thank you very much for your excellent statement.

Let me begin first with Afganistan. What is the United States doing to enhance the likelihood of a political settlement?

Ms. RAPHEL. Mr. Chairman, as I said in my opening statement, it is difficult for the U.S. Government to directly involve itself with the Afghan Government and in Afganistan because of the security situation there and because our Embassy has been closed since 1989.

Mr. ACKERMAN. Should we open the embassy?

Ms. RAPHEL. I wish we could, but I fear that the security situation is such that it would be very unwise to do so at this point. As I told this subcommittee before, I was in Kabul in November of last year checking into that very situation, and it didn't look so bad at that particular moment, but beginning in January things really did fall apart.

Mr. ACKERMAN. Can we not play an activist role from some other venue?

Ms. RAPHEL. Well, let me continue if I might.

Mr. ACKERMAN. Please.

Ms. RAPHEL. And that is to say that our approach, since we are not in Kabul, is to support the U.N. effort to try to find a way to get the factions in Afganistan to come together. We have taken a leading role at the U.N. As I said in my statement, we encouraged the formation of the Friends of Afganistan. Every time there has been an outbreak of fighting we have encouraged the Security Council to make a statement. We have actively participated in drafting of those statements, and they have been made on several occasions.

We actively supported the establishment of the Mestiri mission. We have consulted with him on numerous occasions both in New York and in the region. He is out there with a mandate from the U.N. to try to find a way to serve as a catalyst to bring the Afghan factions together. He is moving to bring the U.N. offices back inside Afganistan into the Jalalabad area which seems to be a bit quieter at the moment.

We have talked on the bilateral side to the neighboring countries who have interests in Afganistan. As I said in my statement, we have assurances from several of the governments that they are not

providing weapons or materiel to the Afghan factions. We continue in these discussions on a bilateral basis to help stem the flow of materiel into Afghanistan. We have provided humanitarian assistance since 1989 to the tune of \$600-plus million. We retain an active dialogue with faction members in Peshawar.

So we are actively engaged to the degree we can be given the constraints of the situation, and I would add that what we all need to be looking for is a consensus on the part of the Afghan people as to what kind of government they want. This is an Afghan situation; it requires an Afghan solution. We cannot impose a solution of our own on the State of Afghanistan, and we are very mindful of our interests in Afghanistan, both negative and positive.

Obviously on the positive side, we are very concerned with what has happened to the State of Afghanistan and to the Afghan people since their very valiant struggle in the 1980's against Soviet occupation. It is a very tragic situation, and, as I have said, on the humanitarian side we have done a lot and more than any other country has.

And we are concerned, as you are Congressman Rohrabacher, with the problems of narcotics. Afghanistan now is the second largest opium producer in the world, second only to Burma. While we don't have specifics, it is very clear that various factions do trade in these narcotics and finance themselves in part in that way. We are concerned about the problem of terrorist groups training and taking refuge there. But those problems can't be addressed until there is a government in Afghanistan which has a certain degree of authority to control the country, and that needs to be our first priority.

Mr. ACKERMAN. Are you saying that we have no strategy toward dealing with the narcotics problem absent a political settlement?

Ms. RAPHEL. Not at all, I wouldn't say we don't have a strategy.

Mr. ACKERMAN. What is our strategy?

Ms. RAPHEL. We have a policy toward Afghanistan. Specifically on the drug side, in the last few years we actually have had a modest program inside Afghanistan working for alternatives to poppy production for farmers, economic alternatives so people don't need to depend purely on poppies for their incomes.

Secondly, we have urged the U.N. organizations that have been involved in economic development programs inside Afghanistan to have poppy clauses in their programs. That is to say that regions that are cultivating poppies are not eligible for any kind of assistance.

We also work with other countries in the region to help ensure—to lessen the flow of opium from Afghanistan outside its borders, but it is a difficult job, again, because of the lack of central authority inside Afghanistan.

Mr. ACKERMAN. Who, in the administration's view, is the legitimate President of Afghanistan?

Ms. RAPHEL. We continue to work with the current government because we want to retain our ties and dialogue to the degree that we can. It is a complicated situation. Most of the Afghan factions believe that President Rabbani's government and his term in office ended on June 30.

Mr. ACKERMAN. What is our view?

Ms. RAPHEL. Rabbani believes that he is President until the end of December. You know, the situation doesn't lend itself to normal legal analysis of who the government is. This was a coalition government, very broadly based, with members of all the factions in it, but the President sat in Kabul, and the prime minister, his now sworn enemy, was sitting 20 miles outside of town and never went there, and they don't have cabinet meetings; they don't meet in a regular way.

Mr. ACKERMAN. How fortunate.

Ms. RAPHEL. They don't hold hearings either.

Mr. ACKERMAN. If that de facto government decided to renew itself in December unilaterally, paying no attention to any other factors, what would be our view?

Ms. RAPHEL. In a sense it has done that right now. I mean Rabbani continues to sit in Kabul.

Mr. ACKERMAN. We have, up until this point, given them de facto recognition. Do we continue to do that?

Ms. RAPHEL. As a practical matter, the government is not effective anyway. We talk to their representative here; we talk to their representative in New York; as I mentioned, we talk to the representatives of the other factions; where we can; primarily in Peshawar. But recognition is not a practical concept in this situation.

Mr. ACKERMAN. I don't understand that.

Ms. RAPHEL. It has no practical effect on how we deal with Afghanistan whether we formally recognize the Rabbani government or not. It becomes a kind of legalistic concept that doesn't relate to the situation on the ground.

Mr. ACKERMAN. If there were a different government, would we have a greater degree of intercourse with them?

Ms. RAPHEL. Afghanistan needs a government that Afghans can support. It doesn't make a significant degree of difference to us who that government is, whether it is Mr. Rabbani, whether it is Mr. Hekmatyar, or someone else, or the former king. The problem is not who has the title of President but the fact that there aren't effective institutions.

Mr. ACKERMAN. I have some questions about the role or possible role of the former king, but I would do myself a disservice if I did not allow my colleague, Mr. Rohrabacher, to raise that issue, so I would yield to him at this time.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

I unfortunately have to leave in about 10 minutes for a major press conference that is being held on another subject.

I would like to say that I was considering during our markup offering an amendment to Mr. Gilman's proposal, and I am going to hold on that amendment until full committee in dealing with human rights in Vietnam.

About Afghanistan, you say we have lines of communication open with the various factions. When was the last time and who was it that talked with the Hekmatyar faction from our Government?

Ms. RAPHEL. As I think I mentioned before, I talked with him last November. That was the last time any member of our Government had spoken directly with Hekmatyar. But he has representatives in Kabul whom our consul there speaks with on a regular basis, and last time was a couple of weeks ago—sorry—Peshawar.

Mr. ROHRABACHER. Yes. I hope that.

Who is supplying Mr. Hekmatyar with his provisions at this time?

Ms. RAPHEL. We don't have any precise evidence as to where he is getting his provisions.

Mr. ROHRABACHER. Are you satisfied that the Saudis and that the Pakistanis are not providing supplies for Mr. Hekmatyar?

Ms. RAPHEL. Let me repeat what I said before, which is that the Saudis and the Pakistanis have both assured us that they have not been supplying Mr. Hekmatyar.

Mr. ROHRABACHER. Well, I guess that wasn't my question, was it? I am not asking you whether or not they assured you of that, I was asking you whether or not you believe that the Saudis and the Paks have provided them or not.

Ms. RAPHEL. It is really very difficult to know. Obviously, some kinds of supplies have got to be going from neighboring countries into Afghanistan, at least petroleum, medical supplies, and those sorts of things, but it is difficult to know precisely where they are coming from and who is paying for them.

Mr. ROHRABACHER. Do you agree with me that unless something is done quickly, that we will see the evolution and the formation of basically an army of narcotics terrorists that will be based out of Afghanistan territory that will threaten the stability in different parts of the world?

Ms. RAPHEL. I agree with you that the narcotics growing and trafficking is a serious problem, that the harboring of terrorists and training of various factions and terrorist groups is going on in Afghanistan, that a crumbling Afghanistan can threaten the stability of the region. Yes, it is a serious problem. I mean it really is a serious problem. I definitely agree with you.

Mr. ROHRABACHER. It is a murderous train coming down the track, and the West has other things to think about because it is not quite here yet. Is that right?

Ms. RAPHEL. It is a very dangerous situation, Congressman. I agree with you.

Mr. ROHRABACHER. The bombers who bombed the towers in New York, were any of them tied to any particular faction in Afghanistan?

Ms. RAPHEL. We don't know that they were tied to any specific faction, but there certainly is evidence to suggest that they have been—

Mr. ROHRABACHER. Isn't there evidence to suggest that the people who bombed the towers in New York were in some way connected to Mr. Hekmatyar and his organization in Afghanistan?

Ms. RAPHEL. Congressman, those kinds of details I really can't get into in an open hearing.

Mr. ROHRABACHER. All right. Well, I seem to have heard a little bit about it myself through other sources, and I would suggest that there is evidence that the narcotics traffickers and terrorists that are now operating in Afghanistan already are a threat to our security in the United States and if we don't start paying attention to it and don't move with a tangible plan, which we don't seem to have, that the situation will do nothing but get worse, and I would



call on this administration today to start paying more attention to Afghanistan.

There are people in Afghanistan who are wonderful, decent, honorable people who are now in a horrible situation. Not only is the bloodletting going on and they are being killed and their families are being killed but you have got monstrous criminals that are taking over their society, and once they become entrenched with billions of dollars' worth of drug money, the whole world is going to pay the price.

We should be standing with the good people of Afghanistan, we should come up with a plan, whether it is supporting the king or whether it is supporting some other way or vehicle of achieving stability, but at this time there has been no concerted effort to do so.

I personally have tried to work with this administration and had numerous calls into several people, including yourself but also people at the White House, and it just seems that there are other things consuming this administration. I understand that, but it is time we paid attention to Afghanistan because we will eventually have to pay attention and the price will be much dearer in the years ahead.

Ms. RAPHEL. Congressman, I share your concern. I would simply say we cannot force and plant a government in Afghanistan.

Mr. ROHRBACHER. We cannot force any situation unless we are willing to exercise the authority that we have and our own power in the world, and, to be quite frank, when we are talking about invading little Haiti in order to get the President out of a political campaign promise, and we spend so much time concerning ourselves there when we look at what is going on in Afghanistan and other countries, which is havoc, because the United States is not providing the leadership that we were expected and are expected to provide.

In Afghanistan, the CIA and other people have been deeply involved in that area for 10 years now. Each one of these leaders that you talked about had a CIA handler. I mean these are people who helped during the war against the Soviets, who have tremendous influence on these individuals.

I don't see that we are trying to exercise that in a very forceful way, that influence, toward positive ends, and I would hope that by the next time we have a hearing on this subject there will be more to report, and if you have to report some things outside or in closed session or in a more confidential way, we can do that.

One last question which is what the chairman alluded to, which was at least an alternative that I have tried to present as a method or at least some way, if we see this is one way we can get out of the mess, is using the king as a vehicle for the good and decent people who want to throw out the drug lords and the terrorists, to rally around some person to serve as a way out of this chaos.

Why hasn't there been more attention paid to the king, and, if not, what is the other alternative?

Ms. RAPHEL. Let me speak first to our dialogue with the king. We do see him in Rome. Last time was earlier this month when our deputy chief of mission had a conversation with him, and we have had several conversations from the beginning of the year with his staff and also with him earlier in January.

The king is obviously a patriot. He is obviously profoundly saddened by what is going on in his country, and he would like to be able to help, but what he says to us is that, "If there is a consensus on the part of the Afghan people for me to come back and play some sort of a role, I would be happy to do that." But absent the consensus, he does not wish to go ahead.

Mr. ROHRBACHER. I happen to believe, with the leadership of the United States working with our friends in Pakistan and Saudi Arabia, that we could make that work.

I will end my portion of this discussion with one story. In visiting the king in Rome, the king told me of an assassination attempt against him a short time ago. Apparently a man attacked him with a knife and lunged across the table with the knife coming down directly into the king's chest.

Well, the king smokes cigars, and just luckily that day he had put his metal cigar case into his pocket, and the knife hit the cigar case——

Mr. ACKERMAN. So the moral of the story is, smoking saves lives?

Mr. ROHRBACHER. Smoking saves lives, Mr. Chairman. [Laughter.]

But here you have this metal cigar case—well, we should talk to Mr. Waxman about that, I guess.

But here you have this indented cigar case because the knife, had it missed the cigar case, would have gone right into his heart, and let me say that I believe that whether you are a Muslim or a Christian or a Jew, or whatever your religious belief, there is something being said there. This man has a role to play to bring some benefit to mankind, and he was spared for that reason, and I hope that we don't just ignore this potential, and if we do, let's have some other alternative.

Thank you very much, Mr. Chairman.

Mr. ACKERMAN. Thank you very much.

Before turning to Mr. Faleomavaega, in response to a question that I had asked before, you had stated something to the effect that it makes little difference to us whether Rabbani or Hekmatyar leads the government. Is that what you meant to say?

Ms. RAPHEL. I meant to say——

Mr. ACKERMAN. For the record.

Ms. RAPHEL. Whoever the Afghan people choose to be their leader, we will do business with that government and that individual.

Mr. ACKERMAN. Thank you.

I am beginning to sense the presence of a quorum. If you will indulge us, Madam Secretary, to take care of some legislative business and suspend from our oversight responsibilities for just a couple of moments, I think that would be very helpful.

[Whereupon, from 10:50 to 10:55 a.m., the subcommittee proceeded to other business.]

Mr. ACKERMAN. Madam Secretary, had you finished?

Ms. RAPHEL. Yes, Mr. Chairman.

Mr. FALEOMAVAEGA. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I want to welcome Madam Secretary Raphel for being here this morning at our hearing. I do have a couple of questions.

I get the firm impression that there is total anarchy right now in Afghanistan and that it does not have any sense of rule or order or any form of government whatsoever. Is that basically our position right now?

Ms. RAPHEL. I'm sorry, you said that there is anarchy?

Mr. FALEOMAVAEGA. Yes. There is no government, so therefore we don't recognize anybody there?

Ms. RAPHEL. There is no central authority whose writ runs throughout the country. There are various factions and leaders who exercise authority in various regions. In the north General Dostam, in the west a fellow called Ismael Kahn, but there is no central authority and there is nobody whose authority runs throughout the country, and Kabul is very chaotic.

Mr. FALEOMAVAEGA. Are there about 100 million people living in Afghanistan? What is the population?

Ms. RAPHEL. No. It is very hard to tell since there hasn't been a census in a long time, but somewhere between 13 and 15 million.

Mr. FALEOMAVAEGA. I see.

You mentioned that Afghan ranks only second to Burma as far as trafficking in narcotics and the production of heroin. What is the value of how much narcotics that are produced in Afghanistan? Have we made any estimates?

Ms. RAPHEL. Congressman, I will have to take that question. I know the estimates for the production of opium the last year have varied greatly and there are different estimates, and we have not as a government come up with what we think the best estimate is. I can't tell you the value, but we can get back to you with our best estimate.<sup>1</sup>

Mr. FALEOMAVAEGA. Am I correct that the largest consumer of heroin in the world is the United States?

Mr. ACKERMAN. There are no U.S. experts present.

Ms. RAPHEL. I see some of your experts shaking their heads, but I assume that is correct, but I would have to——

Mr. FALEOMAVAEGA. I really would like to get some information on this for the record.<sup>2</sup>

If we are to understand that the largest producer is Burma, and that based on the consumption that we have per annum, and basically if these two countries are the two largest producers of heroin, I would think we should be able to make some estimates as to how much is coming into our country.

Ms. RAPHEL. If I could just say for the record, Congressman, the Afghans produce raw opium. As far as we know, they don't turn it into heroin inside Afghanistan.

Mr. FALEOMAVAEGA. Well, whether it is raw opium or what, the fact of the matter is that it does become heroin.

Ms. RAPHEL. Absolutely.

Mr. FALEOMAVAEGA. And it is good quality form somewhat. I don't know. I would like to reiterate what Congressman Rohrabacher had said earlier. It seems that we are more or less playing a passive role here in our dealings with this country simply because we have no national interest involved here. Am I correct?

<sup>1</sup> EDITOR'S NOTE: The information referred to will not be a part of the printed hearing record.

<sup>2</sup> EDITOR'S NOTE: The information referred to will not be a part of the printed hearing record.

Is that basically the reason why we don't seem to take active interest, concern, for the problems affecting this country that we supported so much of the time when the Soviet Union occupied this country for 10 years?

Ms. RAPHEL. Congressman, we do have interests in Afganistan, and I listed them earlier. Some of them are positive, and some of them are negative—the whole problem of narcotics and terrorism and so on.

We do take an active role in what we are trying to do, which is to help the U.N., as a broadly representative organization, help these factions get together, and it is not a passive role, it is an active role and, frankly, more active than any other Western government.

Mr. FALCOMA. Should we engage in maybe putting in some kind of an arms embargo?

Who are the primary sources of military arms to these factions that are warring among each other?

Ms. RAPHEL. The difficulty is, Congressman, that when the Najibullah government fell, up until that point or at least up until early in that year the Soviets were still stockpiling weapons in Afganistan and they left a lot of weapons there, and there are, I would judge, enough weapons within Afganistan and in the region to supply the kind of warfare that is going on there for another few years anyway—hard to say exactly, but they do not need a huge influx of weapons to continue the warfare that is going on now.

Mr. FALCOMA. I recall the Soviets left 3 million land mines that have been one of the worse problems affecting civilians, people getting legs blown off, I mean in a most serious way, and I don't even know if the Soviets have done anything to cure this problem.

But I wanted to ask, Madam Secretary, couldn't it be a strong policy on the part of our country to propose some kind of an embargo to prevent these factions from getting military weapons? You say that all three of them have taken the weapons that the Soviets have left?

Ms. RAPHEL. Yes, Congressman. What I am suggesting is that there are enough weapons in the country now that they don't need to come in from the outside.

Mr. FALCOMA. Even bullets? There are enough there to—

Ms. RAPHEL. Large stockpiles. I am not saying that nothing is coming in from the outside, and we don't know precisely, but the point is, there is enough there for the fighting to continue.

Mr. GILMAN. Would the gentleman yield?

Mr. FALCOMA. Yes, I do yield.

Mr. GILMAN. Madam Secretary, what are we doing to try to retrieve the Stingers that we left behind?

Ms. RAPHEL. Congressman, we, as I think you know, committed, as did the Soviets, in our negative symmetry agreement, to try and retrieve major weapons systems that we had both supplied to the government and the factions. I don't want to go into the details of that program in open session.

Mr. GILMAN. But we are working on it?

Ms. RAPHEL. We are working to meet our commitments under that negative symmetry agreement.

Mr. GILMAN. Are we meeting with any success at all?

Ms. RAPHEL. We are, Congressman.

Mr. GILMAN. Thank you.

Mr. MARTINEZ. Would the gentleman yield?

Mr. FALEOMAVAEGA. I would gladly yield to my friend.

Mr. MARTINEZ. I think you just responded to a question that Mr. Faleomavaega asked, are they receiving help from outside the country, and you said they weren't.

Ms. RAPHEL. No. What I was saying is that the supply of guns is not the fundamental problem. Enough weaponry was left there as a result of the struggle during the Soviet occupation that there isn't a crying need for guns. That is not to say that weaponry isn't coming over the borders in one way or another, but that is not the primary issue.

Mr. MARTINEZ. In your written testimony you say: "Afghan factions clearly receive support from abroad. However, we have no conclusive evidence demonstrating exactly what they receive and from what sources." So there is clear evidence that they are receiving support from abroad. What is that support they are receiving from abroad that is contributing to their continuing their factional fight?

Ms. RAPHEL. Things like petroleum, medicines, that kind of thing.

Mr. ROYCE. Would the gentleman yield? I have a follow-up on this.

Mr. FALEOMAVAEGA. Could I just ask one more question?

Mr. ACKERMAN. One question, and then we are going to turn to Mr. Royce.

Mr. FALEOMAVAEGA. OK.

I just want to get the overall impression, and I have got at least the policy of this administration, that we are just going to sit and wait until one of these factions are going to take control of the so-called government or whatever it is that we now have in Afganistan before we then pursue any other conditions or whatever we do to deal on a bilateral basis with this government. Is this basically what we are doing now?

Ms. RAPHEL. Congressman, I would say the short answer to that is no. We are maintaining what ties we can and channels of communications we can to the factions, urging them all to find a way to get together. As I mentioned, the U.N. mission and Ambassador Mestiri have traveled all over Afganistan talking to not only the faction leaders, to people, to academics, to leaders in various parts of Afganistan, trying to find a way to organize an interim government which can lead to a more permanent government.

We are not passive at all. Our consul in Peshawar spends most of his time talking to Afghans. As I have said, we have spent a lot of money in the last 4 or 5 years on humanitarian assistance. We had a program running out of Islamabad until just this year. So I think it really is mischaracterizing to say we are sitting passively by and doing nothing.

Mr. ACKERMAN. Mr. Royce.

Mr. ROYCE. Yes, thank you, Mr. Chairman.

Mr. ACKERMAN. We will have another round after the vote.

Mr. Royce.

Mr. ROYCE. Thank you.

Assistant Secretary Raphel, my question would be, to what extent does Hekmatyar base himself and his supporters in Pakistan?

Ms. RAPHEL. He is based about 20 kilometers outside of Kabul. He, like other faction leaders, has members of his party in Peshawar, and, as I mentioned, we talk to them as we talk to representatives of Rabbani's group and so on.

Mr. ROYCE. As we have gone through the thesis here, which has been an interesting one, we have said we don't know who supplies Hekmatyar and then we have said well, maybe—originally it was my understanding that outside sources were supplying him but we didn't know who, and then finally we come up with the assumption, well, maybe no one supplies him, there are simply enough guns and ammunition in the country that he supplies himself. But this would seem to contradict some of the information that we have heard in the past about the source of supply, and so I would just ask for your observation.

Ms. RAPHEL. OK. I can see why it has got a bit muddled. I have been saying a couple of things: First, that in terms of ammunition—guns, weapons—we judge that there are sufficient supplies for all factions inside Afghanistan left over from the Soviet occupation days so that they really don't need more weapons and munitions.

Now obviously they need things like petroleum and medicines and this kind of thing which are not produced locally in Afghanistan. All the factions need them. We don't know exactly who supplies whom. Sometimes the Russians supply Rabbani or the Saudis supply Hekmatyar or the Saudis supply Rabbani, whatever. We don't have a clear picture of where people get these kinds of nonlethal equipment.

Mr. ROYCE. But Hekmatyar, I understood, had bases of support in Pakistan. So he goes back and forth, correct?

Ms. RAPHEL. Historically, in the 1980's you are absolutely right, Hekmatyar was Pakistan's man, and, frankly, a lot of what we supplied went his way as well. But in terms of active support, the Pakistanis have assured us that they aren't supplying him weapons and such any more.

Mr. ROYCE. And we accept those assurances?

Ms. RAPHEL. Well, it is difficult. As I say, there is the Pakistani Government, there are private factions who are interested in his party, and so on. So it is difficult to know for certain what is happening in that part of the world, and, again, since we aren't on the ground in Afghanistan it is more difficult than it might otherwise be.

Mr. ROYCE. Thank you.

Mr. ACKERMAN. We will take a break to vote and return immediately afterwards, and we have yet to hear from Mr. Martinez, Mr. Gutierrez, and Mr. Leach and others, Mr. Gilman again, and continue the round.

[Recess.]

Mr. ACKERMAN. The subcommittee will come back to order.

If you could, Madam Secretary, could you describe for us the roles that are played in Afghanistan by countries such as Pakistan, India, Saudi Arabia, and Russia and Iran?

Ms. RAPHEL. Mr. Chairman, all of the countries that you have mentioned clearly have interests in what happens in Afghanistan. They all see it as very—you know, as bordering on Central Asia, for example, which is an area of renewed interest on the part of those countries. Pakistan and Iran and India as well all see Afghanistan as a potential route to what they say as potentially lucrative markets in Central Asia, so they all have interests in what happens in Afghanistan.

The Pakistanis, after a long history of involvement, and, as we were talking earlier, involvement with some specific faction leaders, have really decided that what they want in Afghanistan is a country that is stable, that can rule itself in an organized fashion, a government they can deal with, a government and a country through which they can pass to get to Central Asia.

We were talking earlier, for example, about narcotics. The narcotics problem in Afghanistan is a serious problem for Pakistan now. Pakistan has more than 1 million heroin addicts. It is not at all in their interest for the poppy production to be going on in Afghanistan.

But that being said on that specific issue, all of these countries have interests there. Iran, again, is a neighboring country. They are obviously interested in Shiite factions having some role in the government. So all of these countries in the neighborhood have legitimate interests. But I would say their interests are not in continued fighting but rather in a government that is stable and that they can deal with in a normal fashion.

And Mr. Chairman, if I might—I mentioned narcotics—if I might go back to enter one piece of information for the record in response to one of the questions from one of your colleagues, and that is our estimate of the amount of heroin—the amount of opium produced in Afghanistan that eventually makes its way to the United States is 20 percent. The other markets are Europe and Pakistan.

Mr. ACKERMAN. Twenty percent of the production?

Ms. RAPHEL. Of the production of opium.

Mr. ACKERMAN. In Afghanistan winds up in the United States?

Ms. RAPHEL. Right. That is our estimate.

Mr. ACKERMAN. You said there were 1 million heroin addicts in Pakistan.

Ms. RAPHEL. And this from a base of virtually nothing 15 years ago.

Mr. ACKERMAN. Previously you addressed the issue of the abundance or overabundance of weaponry and ammunition in Afghanistan. How much of those military assets are sold to any of the countries that I mentioned before: Pakistan, Russia, Saudi Arabia, and Iran?

Ms. RAPHEL. Are sold from Afghanistan?

Mr. ACKERMAN. Yes.

Ms. RAPHEL. It is really difficult for us to estimate that, Mr. Chairman. Obviously weaponry can and is sold for money. Money is definitely something that the commanders need to pay their troops, but we have no good estimate of how much or the dollar value or volume of weapons sold out of Afghanistan.

Mr. ACKERMAN. Would the largest amount of that go to Pakistan or Iran? Would that be the bulk of whatever that traffic might be?

Ms. RAPHEL. It is very difficult to say, Mr. Chairman.

Mr. ACKERMAN. Let's turn for a few minutes if we may to Bangladesh. What is our policy or role, if any, toward the Farakka Barrage incident, controversy?

Ms. RAPHEL. The water sharing agreement between India and Bangladesh expired in the 1980's, and thus far it hasn't been renegotiated, and as a result there is no standing agreement, and it is true that less water now flows downstream from India into Bangladesh than had previously during the period when the agreement was in effect.

These are complicated issues of riparian law and practice and so on. We have urged India and Bangladesh to come to another agreement on how the water resources should be shared. We do not have a view on the merits of how the waters should be shared, but we have urged both the governments to negotiate a solution to this question.

Mr. ACKERMAN. What are the chances of that happening?

Ms. RAPHEL. At the moment—and there is no active negotiation going on, so it doesn't look good in the near future.

Mr. ACKERMAN. Are we considering any sort of debt relief or debt forgiveness toward Bangladesh? What is the size of the indebtedness?

Ms. RAPHEL. Well, that is one of the issues. In terms of the debt that remains to be repaid, we are considering a proposal for debt relief. The difficulty is that we don't have a total number of how much that is, and that is a Department of Agriculture issue, and certainly if we, as an administration, decided that we wanted to propose debt relief for Bangladesh, we would fully consult with the Congress.

Mr. ACKERMAN. Would you care to comment on allegations that the Government of Bangladesh has singled out supporters of the former President, President Ershad, for discriminatory treatment and extralegal harassment?

Ms. RAPHEL. As I noted in my prepared statement, there are times when it has appeared that the Government of Bangladesh has singled out political appointees under the law that allows them to detain people without charge for up to 30 days, but by and large we don't believe there is an active campaign against supporters of General Ershad.

Mr. ACKERMAN. Is the administration supportive of congressional adoption of the Harkin child labor bill? And why or why not?

Ms. RAPHEL. The administration has not yet developed a formal position on that legislation. The child labor issue in South Asia is a complicated one. It is an endemic problem. I would also add that child labor is illegal in the countries we are discussing here today, but as a matter of practice, as a result of poverty, tradition, and so on, many children do work either in the home or in factories. It is an issue that NGO's in the region have been concerned about and have been actively trying to raise awareness about in recent years, and I would say that the proposal of the Harkin legislation has helped to focus attention on the problem of child labor and has got governments in the region interested in trying to figure out how they might do a better job of implementing their own laws and dealing with what is a very serious problem.



Mr. ACKERMAN. Would you like to see the President encourage us to pass it so that he could sign it?

Ms. RAPHEL. Again, we don't have a formal position on the legislation as it stands. Let me just mention, for example, a possible kind of complication. The legislation as it stands, as we understand it, would only apply to export industries in these countries—for example, the garment industry, carpets, and so on—and there is some concern that if children were no longer working in those export industries they would be working in other industries which are equally, if not more, dangerous and potentially debilitating, like match factories and glassblowing factories and that kind of thing.

So it is a complicated issue. Obviously, the principle of trying to end child labor is one that we very much support. How to effectively promote that is a more difficult question.

Mr. ACKERMAN. I believe it was Mr. Gilman in his remarks who referred to the case of Taslima Nasrin and that controversy. Indeed, it is reported now that she is out of the country and in a country that I believe the media has specifically named today. If she were to request political asylum in this country, would she be so afforded that opportunity?

Ms. RAPHEL. She hasn't, Mr. Congressman, and I don't wish to try to answer and respond to a hypothetical question.

Mr. ACKERMAN. Let's switch to Nepal if we can. The Arun III hydropower project, what is our attitude toward that?

Ms. RAPHEL. Mr. Chairman, the World Bank vote on the Arun III project has been delayed until November 3, I believe, or is it December 3? November 3. The World Bank has not as yet distributed all the documentation and so on, on the project, which the administration will need to decide its final position and how we would vote on that project. It is complicated.

I myself actually visited the site of this project last time I was in Nepal. Clearly, Nepal needs energy and energy is one of its biggest resources and potential income earners and so on, but the project is a complicated one. It is big. There have been questions about the environmental effects, about the capacity of the Government of Bangladesh to run such a large project. So there are many issues to weigh, and we will do that in the coming weeks and months and then determine which way we will vote on the project.

Mr. ACKERMAN. How do you assess the prospects for free and fair elections in November?

Ms. RAPHEL. In Nepal?

Mr. ACKERMAN. Well, I can start with here first if you want.

Ms. RAPHEL. Well, we have elections coming up in Sri Lanka.

Mr. ACKERMAN. We will begin with Nepal, and then we will go to Sri Lanka and leave the rest to our imaginations.

Ms. RAPHEL. We are quite confident that there will be free and fair elections. The Government has asked for outside observers. There were observers there in the 1991 election. We are quite confident there is a high awareness of the importance of these elections for the democratic framework in Nepal, and we have a regular dialogue with both major parties and other factions as well, encouraging them to be responsible in the run up to the elections, not

to get involved in politicking on the streets and not to get involved with violent demonstrations and so on.

Mr. ACKERMAN. Are democratic institutions firmly enough rooted in Nepal for some kind of assurance that further democratization will take place unimpeded?

Ms. RAPHEL. The institutions are relatively new and therefore relatively fragile, and, as I think I mentioned in my prepared remarks, we are doing what we can to help the development of these institutions. We have had a lot of Nepali parliamentarians over here on international visitors grants, you know, things like helping the Parliament with the committee system structures and archiving and that kind of thing, helping nongovernmental organizations as well to understand the principles of advocacy and this kind of thing.

So we have been actively involved in trying to support the range of institutions that are important to democratic activity. Now how far down the roots are, it hasn't been that long, but we are confident that in the upcoming election they will serve Nepal well.

Mr. ACKERMAN. The \$27 million fiscal year 1994, roughly, for Nepal, how does that divide up? Is that basically infrastructure aid, or is there an educational component to those numbers for the democracy building process?

Ms. RAPHEL. Yes, absolutely. There are a number of basic areas of concentration. We have helped advise the Government on privatization and liberalizing a lot of its economic regulations. We have long been involved in family planning and child survival. We are still involved in malaria control for some of the southern Churia areas, and we have projects in forestry and reforestation and helping women to understand how to preserve the forest resources since they are the ones who do most of the work in the forests, a variety of activities.

Mr. ACKERMAN. How would you describe the human rights situation?

Ms. RAPHEL. The human rights situation in Nepal is pretty good. I mean they have some of the usual problems that are endemic in the region of how people are treated in police custody. We have some concerns about how women are treated as we do in other parts of the region. There have been some concerns about how Tibetan refugees coming to the borders have been treated. But we have a regular dialogue and a receptive dialogue with the Government on human rights issues.

Mr. ACKERMAN. Let's switch to free and fair elections in Sri Lanka then. We are only going to do two out of three today.

Ms. RAPHEL. Mr. Chairman, we are also confident that there will be free and fair elections in Sri Lanka. Sri Lanka has a long democratic tradition. Again, they have asked for international observers. We know of at least two Americans who will be coming to observe those elections in August.

Mr. ACKERMAN. Will they be congressional observers?

Ms. RAPHEL. They are private. And we expect they have also asked for observers in the Presidential election. In fact, over the last 18 months there have been lots of elections in Sri Lanka. Eighteen months ago there were provincial elections, and then last March there were local bodies' elections in some of the provinces.

The Presidential election has been scheduled or has been planned for the November/December timeframe for a long time, and then just a few weeks ago the Government decided to have parliamentary elections on August 16. So there has been a lot of election practice in the last 18 months in Sri Lanka, and we are confident that they will be free and fair.

Mr. ACKERMAN. What is the status currently of the insurgency in the North and the East?

Ms. RAPHEL. Pretty much stalemated. The LTTE presence in the eastern province is pretty much gone, as we have been told by the Government there, and the eastern province is much less of a sort of a war zone than it was a year and a half ago. A lot of the bunkers are gone, and people move about freely, and so on and so forth. So the Government has had some effect in reclaiming that area. But in the north the LTTE is still very much dominant, and periodically the Government will launch an offensive, but none of them have been successful up to this point, so we do characterize it as pretty much of a standoff and stalemate.

Mr. ACKERMAN. Does the administration accept the proposition that Sri Lanka has no ethnic problem and only a terrorism problem?

Ms. RAPHEL. Mr. Chairman, no. I think they have got both. Obviously, the LTTE has engaged in terrorist activities. It is widely believed that the LTTE was responsible for the assassination of President Premadasa and Maleet Athalathmudali who was killed 10 days before. So there is obviously terrorism going on.

But also there are grievances on the part of the Tamils that need to be addressed, and we believe that part of the problem is that these two communities have become so estranged that they don't have an easy means of dialogue, and part of what we have done is to bring into the country through our USIS programs and so on people who are experts in confidence-building practices and techniques and so on with the hope that at some point maybe some of these kinds of ideas will appeal to both sides and they will be able to get involved in a meaningful dialogue.

Mr. ACKERMAN. Until that point the fighting and the bloodshed are inevitable?

Ms. RAPHEL. Well, I hate to use the term "inevitable," but until that point I don't see the basic problem being resolved. The amount of bloodshed at this point is down because, as I was saying, it is a bit of a stalemate and unless one side or the other launches a major attack the levels of killings are actually down and, with them, the disappearances and the most egregious human rights violations that characterized Sri Lanka in the late 1980's.

Mr. ACKERMAN. Is there a more active role that we could play?

Ms. RAPHEL. At this point, Mr. Chairman, again, I think we have to wait until the parties are more closely engaged. As I say, we try to present ideas on how they might get involved in a dialogue, confidence-building measures, ideas about devolution of power and so on, and we can serve in that capacity, but any more actively at this point I don't think it would be appropriate or effective.

Mr. ACKERMAN. Madam Secretary, let me thank you for being with us today. We have thrown a lot at you. You have been very,

very helpful, and we look toward look forward to seeing you again before our subcommittee.

Ms. RAPHEL. Thank you, Mr. Chairman. It is always a pleasure.

Mr. ACKERMAN. The hearing stands adjourned.

[Whereupon, at 11:55 a.m., the subcommittee was adjourned.]

**CONSIDERATION OF H. CON. RES. 278, EXPRESSING A SENSE OF CONGRESS REGARDING U.S. POLICY TOWARD VIETNAM; AND H. CON. RES. 216, EXPRESSING A SENSE OF CONGRESS REGARDING HUMAN RIGHTS IN VIETNAM**

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THURSDAY, AUGUST 11, 1994

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON ASIA AND THE PACIFIC,  
*Washington, DC.*

The subcommittee met, pursuant to other business, at 10:50 a.m. in room 2255, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. We have before us H. Con. Res. 278.

Without objection, all members who have statements to place in the record, those statements will be placed in the record. I have one, Mr. Gilman, has one, and the record will be left open for anybody else—Mr. Gutierrez.

[The resolution appears in the appendix.]

Mr. ACKERMAN. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Chairman, I move that we adopt H. Con. Res. 278.

Mr. ACKERMAN. Any discussion?

All those in favor of reporting the resolution favorably to the full committee, please signify by saying aye.

[Chorus of ayes.]

Mr. ACKERMAN. All those opposed, nay.

The motion carries.

There is a second resolution before the committee.

Mr. ROYCE. I thought he was going to bring it up in full committee.

Mr. ACKERMAN. No. This is Mr. Gilman's resolution, unamended.

Mr. ROYCE. Oh, Mr. Gilman's resolution, 216.

Mr. Chairman, at this time if I could bring this before the subcommittee.

[The resolution appears in the appendix.]

Mr. ACKERMAN. H. Con. Res. 216 is before the subcommittee. Is there any discussion of the resolution?

The chair will entertain a motion.

Mr. ROYCE. I will move it.

Mr. ACKERMAN. It is moved to recommend affirmatively to the full committee H. Con. Res. 216. All those in favor, please signify by saying aye.

[Chorus of ayes.]

Mr. ACKERMAN. Any opposed, say nay.

The motion is passed, and both resolutions shall be sent to the full committee.

[Whereupon, at 10:53 a.m., the subcommittee proceeded to other business.]

# APPENDIX

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**STATEMENT BY ROBIN RAPHEL  
ASSISTANT SECRETARY OF STATE  
FOR SOUTH ASIAN AFFAIRS  
HOUSE FOREIGN AFFAIRS SUBCOMMITTEE  
ON ASIA AND THE PACIFIC**

**AUGUST 11, 1994**

Mr. Chairman and members of the Committee, I am pleased to be here today to testify on recent developments in and U.S. policy toward Afghanistan, Bangladesh, Nepal and Sri Lanka. While much of the attention devoted to South Asia is rightly focussed on India and Pakistan, significant events are taking place in the other countries of the region. I am grateful for the recognition of this reality by you and the Committee, as demonstrated by your request for today's hearing.

Afghanistan, Bangladesh, Nepal and Sri Lanka are sometimes labelled the "smaller" nations of South Asia, but this is very much a relative comparison. Like their more powerful neighbors, India and Pakistan, they confront significant problems affecting large numbers of people. To provide some perspective, I would note that the transition from authoritarian rule to democracy is affecting more people in Bangladesh and Nepal than in all of the former communist countries of Eastern Europe combined, where a similar process began at about the same time.

Strengthening democracy is among the Administration's highest regional priorities in South Asia, and is of particular importance in all but one of the countries we will be discussing today, Afghanistan. While democratic institutions are being tested in Bangladesh, Nepal and Sri Lanka, we are optimistic that these institutions will prevail. We actively support the democratic process throughout the region, although our approach varies from country to country to suit the circumstances.

Another area of importance to us in South Asian countries is economic growth and development resulting in large part from liberalization of trade and investment policies. Closely connected to this is our strong interest in generating new opportunities for American business. As in India and Pakistan, significant economic policy changes are underway in Bangladesh, Nepal and Sri Lanka. There has not yet been an explosion of American commercial involvement with those countries, as there has been in India. However, American participation has grown, particularly in Sri Lanka. The Department of State and our embassies in South Asian capitals are supporting American businesses pursuing new opportunities in those countries.

While not caught up in the Indo-Pakistani dispute to any significant degree, Bangladesh, Nepal, and Sri Lanka all must pay close attention to relations with India. India, given its sheer size and extensive human and other resources, has a special obligation to ensure that its smaller neighbors feel they are treated fairly. Water allocation, power generation and refugee flows are among the significant issues between them and their large neighbor which need to be resolved sooner rather than later.



The three states recognize the importance of regional cooperation and are strong supporters of the South Asian Association for Regional Cooperation. The United States also would like to see SAARC grow in stature and effectiveness. We believe the organization could better accomplish this by taking on greater responsibilities at the working level.

I now wish to discuss of these each of the four countries individually.

### Afghanistan

Mr. Chairman, Afghanistan is the sad exception to a tale of political and economic progress in South Asia. Our primary goal there is a simple one -- to help promote peace and security in a country torn by war for almost fifteen years. There are other important issues in Afghanistan, including reconstruction of the economy and infrastructure, repatriation of the refugees, combatting narcotics trafficking, and putting an end to the harboring of radical groups, all of which have important potential for regional stability.

However, significant progress toward these or any other goals is dependent on the end of fighting and the emergence of a government that can assert authority throughout the country. We believe only a broad-based government with a mandate from all Afghans, both at home and abroad, can bring the stability that Afghanistan needs. This political process could include the former king, Zahir Shah, should he so desire.

Afghanistan was the last great battlefield of the Cold War. From 1978 to 1992, over a million Afghans lost their lives in the struggle against a regime imposed and supported by the Soviet Union. Countless others were maimed by mines and other accidents of war. At least five million more became refugees in Pakistan and Iran and two million were internally displaced.

The whole world had hoped that the conflict and the suffering would end with the fall of the regime of President Najibullah. But rivalries among Afghan factions have fuelled continuing warfare, and tens of thousands more have been killed or wounded since 1992. Fighting intensified in Kabul and northern Afghanistan beginning this past January as coalitions aligned with President Rabbani and Prime Minister Hekmatyar struggled for supreme power. Twenty-three thousand more people have become casualties since then and another wave of refugees and displaced persons has been generated.

For the past several years, the United States has worked hard to promote a peaceful political process in Afghanistan that would enable a functioning central government to emerge and reconstruction to begin. Our involvement in Afghanistan is longstanding. When the Afghan people chose to resist the Soviet occupation, we supported them. When the Soviets withdrew, leaving behind an entrenched puppet regime, we worked with mujahidin factions, traditional and Islamic leaders, and the former King to encourage a transition to a workable government. Since the regime's collapse, we have maintained our efforts to help create a broad-based government to oversee the reconstruction of this war-torn country.

Mr. Chairman, the peace so many Afghans desire has not been achieved, in spite of their efforts and those of others, including the United States. Fighting has continued between Afghan factional leaders, who do not appear to have the interests of their country and their people at heart. Despite the history of our long involvement in Afghanistan, we find factional leaders remain intransigent and seemingly oblivious to persuasion or pressure. Our embassy in Kabul has been closed since 1989. Given the ongoing anarchy in the capital, we see no way we can reopen it in the near future.

In the circumstances, we believe the best approach is to support coordinated efforts by the UN and other multilateral organizations to encourage a political process which leads to a government in Kabul acceptable to all Afghans. We also have worked bilaterally to this end, urging all neighbors and other interested states to support peace efforts. We were instrumental in the creation of the Friends of Afghanistan, a group of concerned states at the UN. We worked through the Security Council and the General Assembly for the dispatch of a UN Special Mission to help Afghans resolve their differences peacefully.

In March and April this Mission, led by former Tunisian Foreign Minister Mahmoud Mestiri, went to Afghanistan and the region. The Mission met with Afghan leaders inside and outside the country, including former King Zahir Shah, as well as officials of concerned governments. Mr. Mestiri is now back in the region and we continue to strongly support his Mission.

Afghan factions clearly receive support from abroad. However, we have no conclusive evidence demonstrating exactly what they receive and from which sources. We are working to curb the flow of weapons and materiel to the factions. We have received assurances from Pakistan, Saudi Arabia, India, Tadjikistan, Uzbekistan, and Turkmenistan that they are not providing weapons or materiel. However, given Afghanistan's porous borders, assistance from private groups in these and other countries may well be continuing.

The absence of effective government and limited security in both the capital and the countryside have made it very difficult to conduct development programs in Afghanistan. We recently closed our bilateral assistance program in part because of these circumstances. However, the U.S. continues to provide substantial humanitarian assistance to the Afghan people through UN agencies and non governmental organizations. Their programs support refugees, food for work projects, immunizations, and demining.

### Bangladesh

The United States has two primary objectives in Bangladesh: promoting democracy and respect for human rights and encouraging continued economic growth and development.

The election of early 1991 was judged to be the first truly free and fair elections since Bangladesh's independence. Drawing on its clear mandate, the government of Prime Minister Begum Khaleda Zia expanded press freedoms and held both regional and local elections that were free and fair.

However, there have been setbacks to the democratization process in 1994. Following allegations of vote-rigging in a March Parliamentary by-election, the opposition has boycotted Parliament. It has called for new elections and demanded that the Constitution be amended to provide for a caretaker government to oversee them. The Government has refused this demand. The opposition leader, Sheikh Hasina, is calling for the immediate resignation of the government and has threatened to use street demonstrations to achieve this end. Political violence in the universities also continues.

Through regular diplomatic contacts, the United States encourages the government and opposition to engage in a more productive dialogue. This is essential to resolving the current crisis. Adherence to the laws and Constitution of Bangladesh is vital for the survival and development of democracy there.

The United States also provides assistance to strengthen democratic institutions. Many Bangladesh Parliamentarians have received USAID and USIA-funded training in the United States and a variety of exchange programs are designed to broaden the exposure of Bangladesh's academic, political, labor, and military leaders to the concepts of Western democracy and human rights. This year we provided about \$2.5 million for these programs.

Compared with its predecessors, the current Bangladesh Government has improved human rights practices. There is substantial freedom of the press, the judiciary acts independently of government influence at the appellate level and above, and the Government has held a number of free and fair elections at the local and national levels as well as parliamentary by-elections.

However, the government's early response to the controversy over the Bangladeshi feminist writer, Taslima Nasreen, has raised new questions about protection of the rights of freedom of speech and religion in Bangladesh. The U.S. repeatedly urged the Bangladesh Government to safeguard Ms. Nasreen's right to free speech and protect her from the death threats of extremists.

We were relieved to learn earlier this week that she was allowed to leave the country after having been granted bail on charges of insulting religious beliefs. In addition, Bangladesh's Special Powers Act, which allows for lengthy detention without charge, has been used by the Government against its political opponents. The Anti-Terrorism Law, which sets up special tribunals for a wide range of crimes, also raises concerns due to its vague language, but thus far it does not appear that it is being abused.

In sum, Mr. Chairman, the democratic institutions of Bangladesh, while off to a promising start, are facing significant challenges. This is to be expected as part of the growing pains of a new democracy. Experience with the democratic system is still limited and institutions are often fragile. However, the development of an educated and informed electorate, vital to the democratization process, goes on. The United States will continue to support the process of democratization through diplomatic efforts and assistance to strengthen institutions including Parliament, the courts and the press.

On the economic front, the United States continues to encourage and support the ongoing process of reform and development. Since Bangladesh's independence in 1971, U.S. assistance has helped Bangladesh reduce its population growth rate from 3 percent to 2.3 percent. Infant death rates have gone from 200 per thousand to less than 100 per thousand. Significant progress has been made in providing electricity and a fertilizer distribution system to rural areas. A country once called a basket case is now self-sufficient in rice production.

In spite of the notable success in curbing population growth rates, half the country's population today is under the age of fifteen. As a result, Bangladesh's population is expected to double within the next thirty years even with the lowered birth rates. Another sobering statistic is that it is likely to take 75 years for the population to stabilize. Dramatic economic growth will be needed to generate sufficient jobs. We are pleased that increasing numbers of Bangladeshis are accepting a greater role for the private sector in the economy as the surest way to increase the rate of economic growth and development. As a result of reforms already made, inflation is down and foreign currency reserves have increased. However, much remains to be done.

### Nepal

United States policy towards Nepal reflects the administration's larger foreign policy agenda. We are committed to:

- First, promoting democracy and respect for human rights
- Second, increasing economic growth and opportunity, including trade and investment for U.S. goods and services
- Third, addressing such global challenges as population growth and threats to the environment

Nepal's fledgling democracy is now undergoing a time of testing. Due largely to splits within the ruling Congress party, the government fell in mid-July. Prime Minister Koirala now heads a caretaker government, pending scheduled elections on November 13. Although democracy was restored in Nepal only four years ago, the Nepalis appreciate fully the significance of this test to their democratic institutions. All parties seem committed to participating in the election process and operating within the framework of the constitution.

The leftist opposition has organized some protests and strikes and more are planned this month. Such protests may well continue until the elections this November. So far, these protests have remained largely non-violent, with restraint shown by both the demonstrators and the police. Ambassador Vogelgesang has met with leaders of all the major parties and factions, underscoring the need for continued commitment to the democratic process and urging all parties to forego violence. We are reminding all concerned that Nepalis should not let violence on the streets define their democratic destiny.

While recent developments are cause for some concern, we believe that there is strong Nepalese commitment to preserving democracy. The major issues are now predictable ones for this stage in democracy: how can government meet the high expectations of the citizenry and how can party politicians shift gears from lives often spent in exile or jail, to the nitty-gritty of compromise in a parliamentary system?

Another issue is whether Nepal can hold free and fair elections. Based on the record of their first national and local elections, the prospects look good. To that end, senior government officials have indicated they would welcome international observers.

Regarding economic growth and opportunity, Nepal has made remarkable progress. 1994 has been the best year in a decade for the Nepalese economy, with 7.8 percent real economic growth. Agricultural production increased by 7.7 percent, led by record food, cash crop and fruit and vegetable harvests. Growth has been broad-based, with strong performances in cottage industries, construction, transport, and financial services. Inflation remains at a single digit level.

The Government of Nepal, assisted by an active USAID program and strong cooperation between the Nepalese and the donor community, has undertaken an ambitious liberalization program. This program should further enhance economic prospects in Nepal, including for U.S. exports. Although much more needs to be done, we are pleased by progress in liberalizing foreign exchange and banking regulations, tax reform and privatization of public enterprises. The ambassador chairs quarterly meetings of a newly-formed American Business Forum, to facilitate investment and trade for U.S. companies -- especially in such promising areas as hydro power, tourism, and the aviation sector.

Hydro power is Nepal's most significant natural resource. The Nepalese have yet to tap even one percent of that potential for clean energy, despite the fact that only ten percent of Nepal's people have access to electric power and the fact that power shortages place increasingly critical constraints on the nation's growth. We are encouraging the Nepalese to pursue a diversified energy strategy, with private-public partnerships exploring opportunities for micro, medium, and large energy projects for use in Nepal and for the broader South Asian market.

Although Nepal remains one of the world's poorest nations, it is important to keep in perspective the gains that have been made since the country opened to the world in 1951. We are proud to have worked with the people of Nepal, primarily through the programs of A.I.D. and the Peace Corps, to achieve, inter alia, a 56 percent drop in infant mortality, a 37 percent increase in literacy, and an 80 percent increase in agricultural productivity.

In the area of global challenges, we continue to support Nepal. All parts of our U.S. Mission accord priority attention to environmental challenges, from serious air and water pollution in Kathmandu to deforestation throughout the nation. Much of the USAID program focuses on such issues as family planning and the growing threat of the AIDS epidemic in South Asia. We maintain active collaboration with the royal Nepalese army, which has made an extraordinary contribution since the 1970's to United Nations peacekeeping. The United States, and indeed the entire international community, greatly appreciate and respect Nepal's courageous commitment in behalf of global peacekeeping.

#### Sri Lanka

The primary concerns of the United States in Sri Lanka are promoting a peaceful solution for the civil conflict, improving the human rights situation and expanding our economic relationship.

Sri Lanka has been a functioning democracy since independence in 1947. However, the democratic process has been tested continually by the ongoing civil war. Sri Lanka recently passed a very difficult test following the tragic assassinations last year of the President and one of the main opposition leaders. Parliament quickly elected a new President and democratic governance continued without interruption. Just a few weeks later, the country held nation-wide provincial council elections without serious incident.

In a few days the country will hold parliamentary elections and by the end of the year Sri Lankans will elect a new President. By all accounts the democratic process is thriving -- a vigorous election campaign is underway. We are, however, concerned that some random acts of violence have marred this election period. The Sri Lanka government has requested election observers, including several Americans, for the August polling and is likely to do so again for the Presidential poll. We look forward to working with whoever wins the elections as they tackle Sri Lanka's problems.

Tamil grievances date back to at least the mid-1950's and concern discrimination over language and job quotas, among other issues. In the conflict with Tamil separatists, there is a stalemate after more than ten years of fighting in the north and east. Government forces do not have the strength to wrest control of the Jaffna peninsula in the north from the Liberation Tigers of Tamil Elam. The LTTE, in turn, lacks the capability to loosen the government's grip on the eastern coast.

Efforts to advance a political solution are also stalemated. The LTTE's core demand remains the establishment of a separate state in northeast Sri Lanka. The group continues to engage in terrorism as well as conventional military activity in pursuit of that goal. With upcoming elections, the government is reluctant to risk peace initiatives. When a new government is in place, we will continue our ongoing efforts to urge all sides to explore a political settlement.

We believe that the key to settling the conflict peacefully only by devising ways to devolve power. Local body elections held in the east in March were the first step towards meaningful devolution of power in that troubled area. We hope that, through mutual confidence-building measures, the government and the LTTE could come to trust each other enough to have productive discussions. We have long held that the conflict can be resolved only when all the relevant parties, not just the government and the LTTE, come to the table. This includes other Tamil groups, opposition parties, and representatives of the Muslims. We think that this is achievable through the democratic process and are pleased to see it thriving in Sri Lanka.

Much preparatory work needs to be done before meaningful negotiations can take place. Until this work has gotten well under way, the possibility of mediation by the U.S. or any other outsider is severely limited. We are doing what we can to encourage establishment of the necessary conditions for such talks. This has included exposing both sides to concepts and techniques of conflict resolution; pressing both parties to initiate a meaningful, good faith dialogue on confidence building measures; and supporting election efforts and encouraging strong elected provincial and local bodies.

We are working to ensure that the government keeps up the momentum on human rights reforms, and also urging that the LTTE stop using violence against innocent civilians to further its goals. The human rights situation has improved in Sri Lanka since the end of the appallingly violent conflict from 1988 to 90 between the government and the JVP, a Sinhalese Maoist organization, although the ongoing conflict with the LTTE has also involved abuses on both sides.



Reported disappearances have dropped from thousands between 1987 and 1991, to 200 in 1992 and roughly 70 in the first nine months of 1993. However, in spite of the real progress, some practices such as the use of torture continue, and there is inadequate prosecution and punishment of human rights violators. We have had a frank and productive dialogue with the Sri Lankan government on these issues.

The Sri Lankan economy is enjoying a six percent growth rate, despite the continued drain of the war. We wish to see Sri Lanka continue its progress on economic reform and we look for increased opportunities for U.S. trade and investment. A number of U.S. companies have bid on infrastructure development projects. Our Embassy has sponsored an American Trade Fair last year as well as other trade promotion events. In the past few years we have signed a Bilateral Investment Treaty, an Intellectual Property Rights Agreement and have established a U.S. Chamber of Commerce. Both major political parties have declared support for economic reform.

#### Conclusion

Mr. Chairman, I am grateful to have the chance today to discuss U.S. policy toward these four South Asian countries. I would be happy to answer any questions.

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. CON. RES. 278

Expressing the sense of the Congress regarding United States policy towards  
Vietnam.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1994

Mr. ACKERMAN (for himself and Mr. SKAGGS) submitted the following  
concurrent resolution; which was referred to the Committee on Foreign Affairs

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding United  
States policy towards Vietnam.

Whereas the President has lifted the 30-year-old trade embargo against Vietnam in the belief that doing so is the "best way" to ensure progress in resolving the fate of Americans missing since the conflict in Vietnam;

Whereas the period of the Vietnam conflict and its aftermath was one of the most distressing and painful periods in our Nation's history;

Whereas questions remain about the fate of several hundred Americans missing in action;

Whereas, on July 2, 1993, President Clinton stated that further steps in United States-Vietnam relations would be

based on "tangible progress" towards the fullest possible accounting of those missing in action;

Whereas such "tangible progress" depends on further efforts by the Government of Vietnam in the 4 key areas outlined by the President, including the recovery and repatriation of American remains, continued resolution of discrepancy cases, further assistance in implementing tri-lateral investigations with Laos, and accelerated efforts to provide all POW/MIA-related documents;

Whereas the Congress deeply empathizes with the families and friends of the missing American servicemen;

Whereas we owe nothing less than the "fullest possible accounting" to these men and their families;

Whereas Vietnam's criminal law is used to punish nonviolent advocates of political pluralism, through charges such as "attempting to overthrow the people's government" or "antisocialist propaganda";

Whereas the end of the Cold War provides an unprecedented opportunity for democratic reform and improvements in human rights throughout the world;

Whereas recent economic reforms and initiatives undertaken by the Government of Vietnam can best be encouraged and built upon through political liberalization;

Whereas the interests of the United States and the people of Vietnam, and the international community would best be served by having a friendly and democratic government in Vietnam; and

Whereas greater respect for internationally recognized human rights and a peaceful transition to democracy in Vietnam would greatly reduce the threat of instability in South-

east Asia and enable the creation of a free-market economy in Vietnam: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That it is the sense of the Congress that—

3           (1) progress towards the “fullest possible ac-  
4       counting” for the Americans missing and unac-  
5       counted for remains central to our Nation’s foreign  
6       policy toward Vietnam;

7           (2) the “fullest possible accounting” of our  
8       missing must remain the index by which further  
9       progress in relations must be judged;

10          (3) the primary functions of the United States  
11       Government liaison office in Vietnam should be—

12               (A) to facilitate efforts to achieve the “full-  
13       est possible accounting”, and

14               (B) to establish a section within that office  
15       to assist families and friends of those missing  
16       American servicemen in their efforts to ascer-  
17       tain the status of their loved ones;

18          (4) the United States should support the proc-  
19       ess of nonviolent democratic reform in Vietnam in-  
20       cluding the goal of free and fair elections; and

21          (5) the United States should increase its sup-  
22       port for Voice of America programming in Vietnam.

103D CONGRESS  
2D SESSION

# H. CON. RES. 216

Expressing the sense of the Congress regarding human rights in Vietnam.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1994

Mr. GILMAN submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding human rights in Vietnam.

Whereas President Clinton on October 19, 1992, promised to the American/Vietnam community "it is my firm belief that the issue of human rights should be a part of the discussion when addressing the issue of normalization with Vietnam";

Whereas the "road map" established between the United States Government and the Government of Vietnam did not mention provisions for human rights or democracy as a precondition for lifting the embargo and normalizing relations with Vietnam;

Whereas Vietnam remains one of the last communist countries in the world and maintains one of the most repres-

sive political and social systems and the Vietnamese people are deprived of their basic human rights;

Whereas Vietnam has released from labor camps large numbers of persons suspected of disloyalty or having ties to the South Vietnamese government, and yet has rearrested and incarcerated some of these former prisoners and many other individuals for nonviolent political and religious advocacy;

Whereas one of the most repressed people in Vietnam are the ethnic minorities known as the Montagnards whose traditions, culture, and religious beliefs continue to be eradicated through policies such as the destruction of tribal villages comprised of ethnic Vietnamese migrants for the purposes of forced assimilation;

Whereas free expression is denied in Vietnam (for example, independent radio and television stations, newspapers, performing artists, book publishers, writers, artists, and journalists are forced to conform to government approval or censorship);

Whereas the poet Nguyen Chi Thien, a recognized Amnesty International Prisoner of Conscience in northern Vietnam for the past 27 years, is still denied the right of expression and remains under close government surveillance;

Whereas most South Vietnamese writers and poets have been denied the right to publish or compose since 1975;

Whereas the 1992 Vietnamese Constitution still designates the Communist Party as the "force leading the state and society";

Whereas Vietnam's criminal law is used to punish nonviolent advocates of political pluralism, through charges such as

“attempting to overthrow the people’s government” or “antisocialist propaganda”;

Whereas participants in independent democratic parties and movements have been subjected to harsh repression (for example, Dr. Nguyen Dan Que, the leader of the Non-Violent Movement for Human Rights in Vietnam; Professor Doan Viet Hoat of the Freedom Forum; and Nguyen Dinh Huy of the Movement to Unite the People and Build Democracy);

Whereas even nonviolent political movements for democracy consisting of former National Liberation Front members such as the League of Former Revolutionaries have been repressed and its leaders, Nguyen Ho and Ta Ba Tong, remain under house arrest;

Whereas prominent leaders from the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths are in prison or under house arrest for expressing their religious beliefs;

Whereas 4 monks of the Unified Buddhist Church were tried and convicted on charges of instigating public disorder on November 15, 1993, in relation to a massive demonstration in Hue protesting police detention and harassment of major church leaders;

Whereas Venerable Thich Huyen Quang, head of the United Buddhist Church, is under house arrest and under strict surveillance by security police; and

Whereas Catholic and Protestant clerics and lay people are imprisoned for conducting unauthorized religious activities, including religious education classes and social programs: Now, therefore, be it

- 1        *Resolved by the House of Representatives (the Senate*
- 2 *concurring), That it is the sense of the Congress that—*



3 9999 05706 6654

1           (1) the Department of State, in its formal  
2 human rights dialogue with Vietnam (which was an-  
3 nounced by the United States and Vietnam on Janu-  
4 ary 10, 1994), should place a high priority on  
5 seeking—

6           (A) the release of all nonviolent political  
7 prisoners, and

8           (B) reforms in Vietnam's legal procedures  
9 and practices to bring them into conformity  
10 with international human rights standards;

11          (2) the Secretary of State should submit a  
12 progress report on this dialogue to the Congress  
13 within 6 months of the date on which this resolution  
14 is adopted by the Congress;

15          (3) the United States should actively support  
16 resolutions at the United Nations Commission on  
17 Human Rights expressing concern about the impris-  
18 onment of nonviolent political and religious dis-  
19 sidents in Vietnam;

20          (4) the United States should urge the Govern-  
21 ment of Vietnam to invite international humani-  
22 tarian organizations to provide their confidential hu-  
23 manitarian services to prisoners in Vietnam, as a  
24 step towards improving their treatment and the poor  
25 condition of imprisonment; and



1           (5) the United States should consult with its al-  
2       lies, including Japan, Australia, Canada, and the  
3       European Community, to coordinate international  
4       public and private appeals for improvement in  
5       human rights in Vietnam, drawing attention to the  
6       statement issued by the World Bank-convened do-  
7       nors' conference in Paris on November 10, 1993,  
8       that notes that economic and social development in  
9       Vietnam require "more attention to democratization  
10      and the promotion of human rights" by the Govern-  
11      ment of Vietnam.



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